

**REMARKS**

Applicant has reviewed and considered the Office Action dated June 13, 2001.

In response thereto, claim 21 is amended.

However the ".....to allow air flow in and out of the tray and ventilate under the pot body thoroughly" is written in the claim 21 or not, air always flow thoroughly under the pot body because the clearance/ distance was disposted there in the figures. Also, Applicant had indirectly indicated in the original application that air flow under the pot thoroughly (page 2, line 15 to 16, and page 3, line 7 in original application). Water damage the roots because the water blocked air flow under the pot. That "the roots will never been damaged by water" means a space between the pot and the tray or plastic film created by the leg.

Claims 8, 20 and 21 are rejected under 35 U.S.C. 103(a) as being anticipated by Moskowitz and Worrell. Applicant respectfully traverses the rejection for the following reasons. Moskowitz does not disclosed the legs extending from the bottom wall of the pot separately. Moskowitz disclosed " Integrally extending from the bottom wall 18 is a pedestal 22 having three legs 24 arrayed in the sharp of a Y. the legs 24 of the pedestal are hollow and thereby provide an interconnected chamber connecting with the hollow pot for dirt and plant roots to grow therein." ( column 2, lines 43 to 48 ). Also, Moskowitz claimed ".....a hollow pedestal retaining at lease a portion of the plant roots within the base section said pedestal being in the shape of a Y." (column 3, lines 66 to 67 and column 4, lines 1 to 2 ). In Moskowitz's invention: 1. The legs 24 are interconnected; 2. ".....provide an interconnceted chamber .....for..... plant roots to grow therein." Clearly: 1. The plant roots in Moskowitz's pot still will being damadet by water because the roots grow down

not show or describe the above discussed features in claim 8. Also, there is no motivation or suggestion to combine Moskowitz with Worrell. Worrell discloses an entirely different type of flower pot from Moskowitz. Thus, Applicant respectfully submits that claims 8, 20 and 21 are patentable over Moskowitz and Worrell.

Claims 8, 20 and 21 are also rejected under 35 U.S.C. 103(a) as being anticipated by Gautrot and Worrell. Applicant respectfully traverses the rejection for the following reason. Gautrot does not disclose the tubes 25, 33 and 45 having a bottom wall. In present invention, the leg(s) having a bottom wall. Clearly, the leg(s) in present invention is different with the tube which Gautrot disclosed. The tubes in Gautrot's invention look more like the tube apertures in Shackelford's invention. Thus, Applicant respectfully submits that claims 8, 20 and 21 are patentable over Gautrot and Worrell.

Claim 21 is rejected under 35 U.S.C. 112, second paragraph. Applicant respectfully traverses the rejection for the following reason. The tray which described in claim 21 is a part of the pot claimed in the claim 20. While the pot being used inside of building, the tray must be accompanied with the pot to reserve water for plant use, while the pot being used in greenhouse, plastic film or others material maybe instead of the tray to hold water.

In view of the above, it is respectfully submitted that the present application is in a condition for allowance. Reconsideration of the application and a favorable response are respectfully requested.

Respectfully submitted

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